



General Assembly

**Substitute Bill No. 5629**

February Session, 2016

\* \_\_\_\_\_HB05629JUD\_\_\_\_\_032216\_\_\_\_\_\*

**AN ACT CONCERNING A DIVERSIONARY PROGRAM FOR PERSONS  
UNDER AGE TWENTY-ONE FOR MOTOR VEHICLE VIOLATIONS AND  
CRIMES RELATED TO UNDERAGE DRINKING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 54-56e of the 2016 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2016*):

4 (d) Except as provided in subsection (e) of this section, any  
5 defendant who enters such program shall pay to the court a  
6 participation fee of one hundred dollars. Any defendant who enters  
7 such program shall agree to the tolling of any statute of limitations  
8 with respect to such crime and to a waiver of the right to a speedy trial.  
9 Any such defendant shall appear in court and shall, under such  
10 conditions as the court shall order, be released to the custody of the  
11 Court Support Services Division, except that, if a criminal docket for  
12 drug-dependent persons has been established pursuant to section 51-  
13 181b in the judicial district, such defendant may be transferred, under  
14 such conditions as the court shall order, to the court handling such  
15 docket for supervision by such court. If the defendant refuses to  
16 accept, or, having accepted, violates such conditions, the defendant's  
17 case shall be brought to trial. The period of such probation or  
18 supervision, or both, shall not exceed two years. If the defendant has

19 reached the age of sixteen years but has not reached the age of eighteen  
20 years, the court may order that as a condition of such probation the  
21 defendant be referred for services to a youth service bureau  
22 established pursuant to section 10-19m, provided the court finds,  
23 through an assessment by a youth service bureau or its designee, that  
24 the defendant is in need of and likely to benefit from such services.  
25 When determining any conditions of probation to order for a person  
26 entering such program who was charged with a misdemeanor that did  
27 not involve the use, attempted use or threatened use of physical force  
28 against another person or a motor vehicle violation, the court shall  
29 consider ordering the person to perform community service in the  
30 community in which the offense or violation occurred. If the court  
31 determines that community service is appropriate, such community  
32 service may be implemented by a community court established in  
33 accordance with section 51-181c if the offense or violation occurred  
34 within the jurisdiction of a community court established by said  
35 section. If the defendant is charged with a violation of section 46a-58,  
36 53-37a, 53a-181j, 53a-181k or 53a-181l, the court may order that as a  
37 condition of such probation the defendant participate in a hate crimes  
38 diversion program as provided in subsection (e) of this section. If a  
39 defendant is charged with a violation of section 53-247, the court may  
40 order that as a condition of such probation the defendant undergo  
41 psychiatric or psychological counseling or participate in an animal  
42 cruelty prevention and education program provided such a program  
43 exists and is available to the defendant. If a defendant who is under  
44 twenty-one years of age is charged with a motor vehicle violation or a  
45 violation of section 30-88a or subsection (b) of section 30-89, the court  
46 may order that as a condition of probation, the defendant participate in  
47 an underage drinking, motor vehicle violation and truancy prevention  
48 program approved by the Court Support Services Division of the  
49 Judicial Branch. Such program shall provide a forum for such  
50 offenders to hear from persons who have been affected by underage  
51 drinking, drunk driving, distracted driving or other motor vehicle  
52 violations or truancy and share experiences of the impact of such  
53 incidents or matters on their lives. Such program shall be conducted by

54 a nonprofit organization that advocates on behalf of victims of  
55 accidents caused by persons who operated a motor vehicle while  
56 under the influence of alcohol.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2016	54-56e(d)
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***Statement of Legislative Commissioners:***

A reference to truancy as a crime was deleted for consistency with the general statutes.

***JUD***      *Joint Favorable Subst. -LCO*